THE PRINCIPAL

ACTS

OF THE

General Assembly

OF THE

CHURCH

OF

SCOTLAND,

Conveened at EDINBURGH, the 21st Day of *May*, 1772.

Collected and extracted from the Records by the Clerk thereof.

EDINBURGH:

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SCOTLAND,

Begun at Edinburgh, the 21st Day of May 1772, and concluded the 3d Day of June said Year.

I.

The King's Commission to JOHN Earl of Glasgow produced, and ordered to be recorded.

Edinburgh, May 21st 1772.

THE General Assembly of this National Church being conveened and constituted, there was produced to them, by the Right Honourable JOHN Earl of GLASGOW, the King's Commission, sealed with the Seal appointed by the Treaty of Union to be kept and used in *Scotland*, in Place of the Great Seal of *Scotland*, making and constituting him his Majesty's High Commissioner and Representative in this Assembly; which Commission

sion was publickly read, with all due honour and respect, and ordered to be recorded in the books of Assembly: The tenor whereof follows:

" GEORGIUS, Dei gratia, Magnæ Britanniæ, " Franciæ, et Hiberniæ Rex, Fidei Defensor. Omni- " bus probis hominibus, ad quos præsentes literæ nostræ per- " venerint, salutem. Quandoquidem nos considerantes, quod " generalis ecclesiæ Scotiæ conventus in vigesimum primum " diem Maii instantis convenire ordinatus fuit; nosque etiam " abunde cupidi, quinetiam necessarium esse judicantes in " commodum dictæ ecclesiæ, ut idem generalis ecclesiæ con- " ventus, die statuto debite observetur, atque rebus magni " momenti nos alio vocantibus, dicto conventui personaliter " interesse nequimus; nosque abunde satisfacti de fidelitate " et sufficientia fidelissimi et dilectissimi nostri consanguinei " Joannis Comitis de Glasgow, quod ad summum munus su- " premi nostri Commissionarii dicto generali ecclesiæ conven- " tui rite exercendum et obeundum usquequaque sit instruc- " tus; noveritis igitur nos nominasse, constituisse, et ordi- " nasse, sicuti nos, tenore præsentium, nominamus, constitui- " mus, et ordinamus, memoratum fidelissimum et prædilectis- " simum nostrum consanguineum Joannem Comitem de Glas- " gow, supremum nostrum Commissionarium dicto generali " ecclesiæ conventui Scotiæ, dando et concedendo illi pleniss- " mam nostram potestatem, commissionem, et warrantum, sa- " cram nostram personam et authoritatem regalem repræsen- " tandi, necnon præsentiam nostram supplendi, et locum no- " strum in dicto subsequenti generali conventu, tanquam Com- " missionario nostro ad hunc effectum specialiter constituto, " tenendi, omniaque alia ad imperium et locum Commissiona- " rii pro generali ecclesiæ conventu peragendi, tam plene, ade- " oque libere, in quovis respectu, quam quilibet alius ejusdem " summi muneris fecerat, seu quovis tempore præterito facere " potuerat, vel ac si nos ipsi personaliter præsentes facere po- " tuerimus. Quæque omnia et singula ab antedicto Joanne " Comite de Glasgow, in hac nostra commissione prosequen- " da legitime fecerit, seu fieri ordinaverit, nos firmiter appro- " bamus, et habituri sumus. Omnibus et singulis insuper " antedictæ ecclesiæ et conventus pastoribus, et presbyteris, " cæterisque quibuscunque, infra illam partem Magnæ Bri- " tanniæ, Scotiam vocatam, subditis nostris quibuscunque, " cujuscunque

" cujuſcunque gradus, ſeu qualitatis, ut dictum Joannem Co-
" nitem de Glaſgow, tanquam ſupremum noſtrum Commiſ-
" ſionarium, quoad effectum ſupra mentionatum revereantur,
" agnoſcant, et dict. ipſius audientes ſe præbeant, ſtricte
" mandamus et imperamus: Atque hanc noſtram commiſ-
" ſionem, a dicto vigeſimo primo die Maii inſtantis incipi-
" re, et deinceps hac ſubſequente ſeſſione dicti generals con-
" ventus, in vigore continuare declaramus, vel uſque dum a
" nobis revocabitur, et exonerabitur. In cujus rei teſtimo-
" nium, ſigillum noſtrum per Unionis tractatum cuſtodiend.
" et in Scotia, vice et loco Magni Sigilli ejuſdem, utend. or-
" dinat. præſentibus appendi mandavimus; apud aulam
" noſtram St James's, ſecundo die menſis Maii, anno Domi-
" ni milleſimo ſeptingenteſimo ſeptuageſimo ſecundo, regni-
" que noſtri anno duodecimo. Per ſignaturam manu S. D.
" N. regis ſupraſcript."

II.

The KING's moſt gracious Letter to the General Aſſembly, preſented to them by his Majeſty's Commiſſioner.

GEORGE R.

RIGHT Reverend and well-beloved, we greet you well. The zealous endeavours which you have ſo conſtantly exerted in the cauſe of religion and morality, and the repeated proofs we have received of your duty and affection to our perſon and government, have juſtly intitled you to thoſe marks of our approbation which we have with ſo much ſatisfaction given to you. You may be aſſured, that the continuance of ſo laudable a conduct will always meet with our royal protection; and we are happy on this occaſion to renew to you the ſtrongeſt aſſurances of our determination to ſupport and maintain the Church of Scotland, as by law eſtabliſhed, in the full and free enjoyment of all her juſt rights and privileges.

We have the firmeſt reliance on your ſteady reſolution to encourage the ſtricteſt harmony in all your proceedings; that you will avoid all party diſtinctions, private animoſities, and perſonal altercations; that by a ſerious attention to the laudable purpoſes for which you are aſſembled, you may effectually promote and encourage the increaſe of chriſtian virtue; and that the moderation and wiſdom of your council will fully appear by your ſteady endeavours to diſcountenance every ſpecies of vice and licentiouſneſs.

As you are already acquainted with the zeal and abilities, with which our Right Truſty and Right Well Beloved couſin John Earl of Glaſgow has ſo often repreſented our perſon in this General Aſſembly, and have experienced his adherence to the intereſts of his country, as well as the loyalty and fidelity with which he has diſcharged this important truſt, we cannot doubt of the pleaſure you will receive from the choice we have again made of him on the preſent occaſion; and we are aſſured, that you will continue to exert yourſelves in the cauſe of true religion and piety, and that chriſtian charity and brotherly love will attend all your deliberations, which cannot fail to ſecure a happy and ſatisfactory concluſion of this preſent meeting of the General Aſſembly: And ſo we bid you heartily farewell.

Given at our Court at St James's, the 2d day of May 1772, in the twelfth year of our reign.

By his Majeſty's command,

(Signed) SUFFOLK.

III.

The General Assembly's Answer to the King's most gracious Letter.

May it please your Majesty,

YOUR Majesty's most gracious Letter to the national Assembly of the church of Scotland, now met under your royal protection, was received with all the respectful gratitude, due from royal subjects, who have been honoured with so condescending a proof of the favour of their Sovereign.

The approbation which your Majesty is pleased to express of the conduct of this church, in former Assemblies, cannot fail to fill our minds with the greatest pleasure, and next to the approbation of God, and of our own consciences, that of our Sovereign must hold the highest place in our esteem; and it is the peculiar happiness of your Majesty's subjects, that by a steady pursuit of the former, they take the surest way to attain the latter.

The interests of religion and morality, are and shall be the chief objects of our care and attention, and we rejoice, that we have a King to sway the sceptre over us, who not only protects us in the discharge of our duty, but moves and excites us by his royal command and example to the practice of it.

The confidence which your Majesty is pleased to put in our attachment to your person and government, lays us under an indispensible obligation, to make it our sincere and constant aim, to merit the continuance of it. As our own hearts are filled with the strongest and most affectionate loyalty, we cease not to exert our best endeavours to infuse the same spirit into the people under our care.

We rely with the most perfect confidence on your Majesty's most gracious declaration of your resolution to support the church of Scotland, as by law established, in the full and free enjoyment of all her just rights and privileges.

May it please your Majesty to accept of our most respectful thanks for your paternal advice, in regard to the manner of conducting our proceedings, and we hope to give proof of

a becoming regard to it, by exhibiting that temper and moderation, which are ſo ſuitable to the ſpirit of our holy religion.

Your Majeſty's renewal to this Aſſembly of your royal donation, for propagating chriſtian knowledge in the Highlands and Iſlands, is a freſh and pleaſing proof of your paternal concern for the beſt intereſts of your ſubjects. And it ſhall be our care, ſo to direct the application of it, as moſt effectually to accompliſh your Majeſty's pious and charitable intention.

Your Majeſty's repeated choice of the Earl of Glaſgow to repreſent your royal perſon in this Aſſembly is highly agreeable to us. His experienced abilities for the exerciſe of ſo great a truſt, his loyalty, and the frequent proofs we have had of the propriety of his conduct in this important ſtation, and his fidelity in diſcharging the duty of it, call for our juſt acknowledgments of your Majeſty's favour to us in this nomination.

That it may pleaſe the King of kings, long to preſerve your Majeſty's moſt ſacred perſon: That he may pour down the choiceſt of his bleſſings on your royal Conſort, our moſt gracious Queen, his Royal Highneſs the Prince of Wales, and all the Royal Family; and that after you ſhall have long reigned over dutiful and happy ſubjects with much glory, you may receive an unfading Crown, in the heavenly kingdom, is and ſhall be the fervent prayer of,

May it pleaſe your Majeſty,

Your Majeſty's moſt faithful,

Moſt obedient,

And moſt loyal ſubjects,

The miniſters and elders met in this National Aſſembly of the Church of Scotland,

Signed in our name,

In our preſence,

And at our appointment, by

ADAM FERGUSSON Moderator,

EDIN. 23d
May 1772.

Commiſſion

IV.

Commission to some Ministers and Ruling Elders, for Reformation of the Highlands and Islands, and for managing his Majesty's Royal Bounty for that End.

THE General Assembly do hereby nominate and appoint the Reverend Mr Adam Ferguson minister of the gospel at Moulin, their moderator, all the ministers, members of the presbytery of Edinburgh, Mr Alexander Scott at Meigle, Dr John Kerr at Forfar, Principal Campbell at Aberdeen, Professor Gerard at Aberdeen, Mr Alexander Fraser at Inverness, Mr Hector M'Phail at Kirkmichael, Mr George Watson at Kilteran, Mr Donald M'Queen at Kilmuir, Mr Roderick M'Leod at Bracadale, Mr Murdoch MacIver at Applecross, Mr William Sutherland at Wick, Mr Robert Sands at Hoy, Mr Gilbert Lang at Largs, Mr Archibald M'Lea at Rothsay, Mr Colin Campbell at Kilmodden, Mr David Campbell at Southend, Mr John Hamilton at Kilmorie, Mr George Robertson at Campbeltown, Mr John MacAulay at Inverary, Mr Archibald Campbell at North Knapdale, Mr Ludovick Grant at Ardchattan, Mr Kenneth MacAulay at Ardnamurchan, Mr John Brodie at Kinloch, Mr Thomas Bisset at Logierait, Mr Patrick M'Vean at Dull, Mr Robert Brown at Tulliallan, Mr John Robertson at Dunblane, Mr Duncan M'Farlane at Drymen, Mr William Grant at Arroquhar, Dr John Walker at Moffat, Mr David M'Gibbon at Buchanan, Mr Thomas Spankie at Falkland, Mr Henry Grieve at Dalkeith, Mr George Barclay at Haddington, Mr Andrew Hunter at Dumfries, Mr Thomas Randal at Stirling, Mr John Freebairn at Dumbarton, Mr Colin Campbell at Renfrew, Mr John Hamilton at Glasgow, Mr James Morison at Paisley, Mr Archibald Stevenson at St Madoes, ministers; Sir George Preston of Valleyfield, Professor Thomas Gordon at Aberdeen, Mr Alexander Hart writer, Mr William Chalmers writer, Professor John Cook, Bailie Charles Wright, Edinburgh, William Alexander of Clunie, Esq; Dr Colin

Drummond phyſician, Edinburgh, John Adams of Maryburgh Eſq; The Honourable Baron Maule, The Earl of Dalhouſie, Mr George Currie advocate, Bailie George Black, Glaſgow, Mr John Scott advocate, Mr George Hume baker, Edinburgh, James Cunningham of Hyndhope, John Fordyce of Ayton, Eſq; David Dalrymple, Eſq; advocate, Mr William Adam, younger of Maryburgh, Mr John Clerk merchant in Edinburgh, Mr Alexander Elphinſtone advocate, Mr John Robertſon writer in Edinburgh, Mr George Ogilvie advocate, Mr Iſaac Grant writer to the ſignet, Mr Colin Gordon, advocate, Dr Gregory Grant phyſician, Edinburgh, Mr Anthony Ferguſon merchant, Edinburgh, Mr James Colquhoun advocate, Bailie John Walker, Edinburgh, Mr Walter Gibſon Surgeon in Leith, Bailie John Brown merchant in Edinburgh, Mr John Haddoway merchant in Leith, Mr William M'Donald writer to the ſignet, Mr John Moſman merchant in Edinburgh, Mr Thomas Simpſon peutherer in Edinburgh, Bailie Thomas Elder merchant, Edinburgh, Mr Andrew M'Ara merchant, Edinburgh, The Right Honourable John Dalrymple Provoſt of Edinburgh, Conveener Orlando Hart, John Home, Eſq; Mr Walter Scott merchant in Edinburgh, the Lord Advocate, Commiſſioner Laurie, Mr Sollicitor Dundas, Mr Charles Brown advocate, Mr Thomas Hogg advocate, Mr Adam Ogilvie advocate, Mr Andrew Croſbie advocate, Mr Alexander Ferguſon advocate, Mr Alexander Orr writer to the ſignet, Mr Alexander Abrecrombie writer to the ſignet, Mr John M'Laurin advocate, Profeſſor Thomas Reid, William Hay of Crawfordton writer to the ſignet, Bailie William Tod merchant in Edinburgh, William Wilſon of Soonhope, Eſq; Mr Walter Coſſar merchant in Edinburgh, Sir James Colquhoun of Luſs, John Lamont of Lamont, Eſq; Duncan M'Millan of Dunmore, Eſq; Mr Archibald M'Donald advocate, John Campbell of Skipneſs, Eſq; Mr James Loch writer to the ſignet, Dr James Williamſon, Glaſgow, Lord Stonefield, Mr Allan M'Dougal of Gallanaſh, Profeſſor Adam Ferguſon, Mr Alexander Belſches advocate, and Bailie James Gentle, ruling elders; to be a committee of this Aſſembly, for reformation of the Highlands and Iſlands of Scotland, for promoting the knowledge of true religion, ſuppreſſing Popery and profaneneſs, and for managing the Royal Bounty for theſe ends, according to, and in terms of his Majeſty's grant to this Aſſembly. In proſecution of which purpoſes, the committee are to appoint preachers and catechiſts to go to ſuch places as they ſhall find,

upon

upon due information, to be moſt proper, according to his Majeſty's deſign expreſſed in his warrant; and, in ſo doing, that they have particular regard to ſuch pariſhes in South Uiſt, Small-Iſles, Glenco, Harris, the countries of Moidart, Glengary, and Lochaber, and the other pariſhes of the ſynods of Glenelg and Argyle, which the committee ſhall find, by reaſon of their vaſt extent, by the prevalency of Popery and ignorance, and other unhappy circumſtances, to be in the greateſt diſtreſs: And they ſhall take care, that the perſons they employ be certified, and found, upon due trial, to be properly qualified for theſe reſpective offices, of good abilities for the ſame, of a pious life and converſation, prudent, of undoubted loyalty to his Majeſty, and of competent skill in the principles of divinity, and particularly in Popiſh controverſies: Such preachers and catechiſts being hereby appointed to be ſubject to, and under the inſpection of, the preſbyteries of the bounds to which they are ſent, who are to take care that the orders of the committee be duly obſerved by them. And the preachers are alſo appointed to catechiſe; and both they and the catechiſts to inſtruct the people from houſe to houſe, and to viſit the ſick: And, in all their labours among the people, to be careful to teach them the principles and duties of the true Chriſtian Proteſtant religion, and the obligations they are under to duty and loyalty to our Sovereign King George, and obedience to the laws: And the committee are impowered to give them ſuch inſtructions, as to their work and behaviour, as they ſhall judge meet; which inſtructions the preachers and catechiſts are hereby ordered to obey. The General Aſſembly do further appoint the ſaid committee to have a particular regard in their proceedings to the regulations agreed upon by the committee of the Aſſembly for managing the Royal bounty, on the 30th of September 1730, approven by frequent Aſſemblies; and to take care that preſbyteries, and others concerned, obſerve the ſame, which they are hereby ordered to do: Particularly, the Aſſembly ordains the ſeveral preſbyteries to inſert in their regiſters, the committee's appointments of the deſignations, ſalaries, and ſtations of the ſeveral miſſionaries, and to have an exact regard thereto, in all the letters they ſhall write about the ſaid miſſionaries, and in giving of certificates to them; and to direct all their letters concerning miſſionaries in their bounds, only to the moderator of the committee; which letters ſhall be ſigned, at the

appointment

appointment of the preſbytery, by the moderator or clerk thereof: And the Aſſembly does diſcharge any payment to be made of the ſalaries of the miſſionaries, except upon receipts from the miſſionaries themſelves, and upon certificates from the Presbyteries, bearing that they have ſerved for the time mentioned in the receipts. The General Aſſembly do alſo impower the ſaid committee to apply, for the purpoſes above mentioned, what may remain of the laſt year's Royal bounty not diſpoſed of, by reaſon of any of the miſſionaries not fulfilling the appointments laid upon them: And they are to keep a regiſter of their proceedings, and likewiſe diſtinct books of accompts, how the foreſaid money is beſtowed, which ſhall be patent to any concerned, who pleaſe to inſpect the ſame. Of the perſons above-named as members of this committee, five are declared to be a quorum, whereof three are to be miniſters. But it is hereby appointed, that at the quarterly meeting of the committee, in which the ſcheme or eſtabliſhment of miſſionaries for the enſuing year is to be approved and determined, not leſs than fourteen ſhall be the quorum, whereof nine ſhall be miniſters, and the ſaid committee are appointed to have their meetings at Edinburgh, in the hall of the ſociety in Scotland for propagating Chriſtian knowledge, the laſt Thurſday of every month, at four of the clock afternoon, and alſo the firſt lawful day after the adjournment of the four ſtated diets of the commiſſion of the General Aſſembly, at ten of the clock in the forenoon, except that day ſhall fall to be Saturday, and then the meeting ſhall be upon Monday next thereafter, at the ſaid hour: with power to the ſaid committee to adjourn themſelves to ſuch times and places, as they ſhall find moſt needful and convenient; and they are to keep a correſpondence with the commiſſion of the General Aſſembly, and the Society for propagating Chriſtian Knowledge, and their committee of directors, and to take their advice and aſſiſtance; and alſo to correſpond with the ſynods and presbyteries concerned. They are likewiſe inſtructed and impowered, as they ſhall ſee cauſe, to apply to the Government, or any magiſtrate, for aſſiſtance and ſupport in carrying on the deſign of the commiſſion now given to them. And the General Aſſembly do by theſe preſents nominate and appoint Mr David Dalrymple advocate, procurator for the Church, to be receiver of the foreſaid Royal bounty, and to pay out the ſame as he ſhall be directed and ordered by the ſaid committee,

and

and according to their rules. And the ſaid committee are appointed to examine the accompts of the diſtribution of the Royal bounty, and lay the ſame before the Lords Commiſſioners of his Majeſty's Treaſury, or the Barons of his Majeſty's Court of Exchequer, and to report their diligence to the General Aſſembly, to whom they are to be accountable. And it is agreed, that no perſon once employed and inſert in the ſcheme, ſhall be ſtruck out thereof for that year, but by the quorum of at leaſt fourteen, whereof nine to be miniſters; and in caſe any complaint ſhall be made againſt any of them on the ſcheme, it ſhall not be determined the firſt ordinary meeting that the ſame is offered, but it ſhall ly on the table till another meeting; and, in the mean time, the perſon complained of, and the preſbytery of the bounds wherein he officiates, ſhall be acquainted of ſuch complaint, and theſe concerned be required to ſend to the ſaid committee a juſt account of the matter, againſt the next meeting. And it is further appointed, that after the yearly ſcheme of miſſionaries on the Royal bounty is ſettled in manner above directed, and notice thereof given by letters to the preſbyteries concerned, ſuch preſbyteries ſhall ſend up to the ſaid committee, their anſwer to theſe letters, at fartheſt with their commiſſioners to the General Aſſembly, if the ſame be not done ſooner; and that the committee, at their firſt meeting after the General Aſſembly, ſhall endeavour to compleat the next year's ſcheme themſelves; and if they cannot compleat it, they ſhall name a ſub-committee of their number for that purpoſe, who are to lay their draught thereof before a ſubſequent meeting, which are appointed to meet as ſoon after the riſing of the Aſſembly as poſſible. And that the ſaid committee, in making up the ſcheme of miſſionaries, &c. do not exceed the ſum in the grant.

V.

Commiſſion to ſome Miniſters and Ruling Elders, for diſcuſſing Affairs referred to them.

THE General Aſſembly, conſidering that there are diverſe affairs which they cannot overtake, do hereby nominate, commiſſionate, and appoint the Reverend Mr Adam Ferguſon miniſter of the goſpel at Moulin, their moderator; and from the preſbytery of Dunfermline, Mr Thomas Fernie at Dunfermline, Mr George Adie at Carnock, Mr Robert Rolland at Culroſs, miniſters, and Sir George Preſton of Vallyfield, ruling elder; From the burgh of Dunfermline, Mr Alexander Hart Depute-clerk of Juſticiary; From the burgh of Culroſs, Mr David Ireland, Town-clerk of Culroſs; From the burgh of Dyſart, Bailie Charles Wright merchant in Edinburgh; From the preſbytery of Kirkaldy, Mr Robert Spears at Burntiſland, Mr Henry More at Auchtertool, Mr John Moodie at Portmoak, miniſters, and Mr Robert Orrock, ruling elder; From the burgh of Kinghorn, James Balmain, Eſq; From the burgh of Burntiſland, Dean of Guild John Hoy; From the preſbytery of Coupar, Mr George Bowes at Cupar, Mr Robert Wingate at Abdie, Mr Robert Arnot at Ceres, Mr Thomas Spankie at Falkland, miniſters, the Honourable Captain Frederick Maitland and Andrew Barclay of Pitachope, Eſq; ruling elders; From the burgh of Coupar, John Balfour of Balbirnie, Eſq; From the preſbytery of St. Andrews, Mr Joſeph Pitcairn at Carnbee, Mr John Nairn at Anſtruther, Mr William Beat at Kilrenny, Mr Archibald Gillies at St Monans, miniſters, James Anderſon of Newbigging, and William Donaldſon, Eſqrs; ruling elders; From the burgh of St Andrews, Mr William Chalmers writer in Edinburgh; From the univerſity of St Andrews, Profeſſor John Cook; From the burgh of Kilrenny, William Alexander of Clunie, Eſq; From the preſbytery of Meigle, Mr Alexander Scott at Meigle, Mr James Ogilvie at Eaſy, Mr

John

John Haliburton at Ketins, miniſters, and Patrick Aliſon of Newhall, Eſq; ruling elder; From the preſbytery of Forfar, Dr John Young at Inverarity, Dr John Kerr at Forfar, miniſters, and Dr Colin Drummond phyſician in Edinburgh, ruling elder; From the burgh of Forfar, John Adams of Maryburgh, Eſq; From the preſbytery of Dundee, Mr John Gibſon at Mains, Mr William Biſſet at Dundee, Mr Andrew Hally at Lundy, miniſters, and Mr Charles Jobſon merchant in Dundee, ruling elder; From the burgh of Dundee, Provoſt Patrick Maxwell; From the preſbytery of Aberbrothock, Mr William Bell at Aberbrothock, Mr John Aitken at St Vigians, miniſters, and the Honourable Baron Maule, ruling elder; From the burgh of Aberbrothock, George Earl of Dalhouſie; From the presbytery of Brechin, Mr Patrick Turnbull at Strickathro, Mr Charles Niſbet at Montroſe, Mr Daniel Bryce at Logie, miniſters, and Mr John Scott advocate, ruling elder; From the preſbytery of Fordoun, Mr James Smith at Garvock, Mr Robert Young at Benholm, Mr Alexander Leſlie at Fordoun, miniſters, and Mr George Home baker in Edinburgh, ruling elder, From the preſbytery of Aberdeen, Principal Campbell at Aberdeen, Mr John Brown at Newhills, Mr Patrick Duff at Old Machar, Mr William Duff at Peter Coulter, miniſters, Dr Robert Finlay of Drummore, and James Cunninghame of Hyndhope, Eſq; ruling elder; From the King's College, Profeſſor Alexander Gerard; From the preſbytery of Kincardin O'Niel, Mr Francis Dounie at Banchoryternan, Mr John Abel at Echt, Dr John Ogilvie at Midmar, miniſters, and John Fordyce of Ayton, Eſq; ruling elder; From the preſbytery of Ellon, Mr Thomas Mitchell at Tarves, Mr John Roſe at Udney, miniſters, and Profeſſor Thomas Gordon, ruling elder; From the preſbytery of Garioch, Mr Alexander Stewart at Leſlie, Mr William Davidſon at Inverury, Mr Robert Gauld at Culſamond, miniſters, and David Dalrymple, Eſq; advocate, ruling elder; From the burgh of Kintore, Mr William Adam younger of Maryburgh; From the burgh of Inverury, Mr John Clerk merchant in Edinburgh; From the preſbytery of Deer, Dr George Moir at Peterhead, Mr Andrew Youngſon at Aberdour, Mr Charles Keay at Old Deer, miniſters, and Mr Alexander Elphingſton advocate, ruling elder; From the preſbytery of Fordyce, Mr Andrew Skene at Banff, Mr Robert Ogilvie at Ordiquhill, miniſters, and Mr John Robertſon writer in Edinburgh, ruling elder; From the burgh of Cullen, Mr George Ogilvie advocate;

From

From the preſbytery of Strathbogie, Mr Alexander Chalmers at Cairnie, Mr John Coopar at Glaſs, miniſters, and Mr Coſmo Gordon advocate, ruling elder; From the preſbytery of Aberlour, Mr James Ogilvie at Rothes, Mr John Grant at Dundurcas, miniſters, and Mr Iſaac Grant writer to the ſignet, ruling elder; From the preſbytery of Abernethy, Mr William Gordon at Alvie, Mr Patrick Grant at Cromdale, miniſters, and Dr Gregory Grant phyſician in Edinburgh, ruling elder; From the preſbytery of Elgin, Mr Alexander Watt at Alves, Mr Thomas M'Farlane at Longbride, miniſters, and Mr Anthony Ferguſon merchant in Edinburgh, ruling elder; From the burgh of Forres, Mr James Colquhoun advocate; From the preſbytery of Inverneſs, Mr Alexander Fraſer at Inverneſs, Mr James M'Intoſh at Moy, miniſters, and Alexander Campbell of Dalneſs, Eſq; advocate, ruling elder; From the preſbytery of Chanonry, Mr Hector MacPhail at Kirkmichael, Mr Walter Moriſon at Ardiſeer, miniſters, and Bailie John Walker merchant in Edinburg, ruling elder; From the preſbytery of Tain, Mr Patrick Grant at Nigg, Mr Hugh Roſe at Tain, miniſters, and Mr John Gorry commiſſary of Roſs, ruling elder; From the burgh of Tain, Robert Chalmers of Larbert, Eſq; From the preſbytery of Dingwall, Mr Donald Fraſer at Urquhart, Mr George Watſon at Kiltearn, miniſters, and Mr Walter Gibſon ſurgeon in Leith, ruling elder; From the burgh of Dingwall, Bailie John Brown merchant in Edinburgh: From the preſbytery of Sky, Mr Donald M'Queen at Kilmuir, Mr Roderick M'Leod at Brackadale, miniſters, and Mr John Haddoway, merchant in Leith, ruling elder; From the preſbytery of Gairloch, Mr Colin M'Farquhar at Applecroſs, Mr Murdoch M'Iver at Lochalſh, miniſters, and Mr William M'Donald writer to the ſignet, ruling elder; From the preſbytery of Tongue, Mr George Munro at Farr, Mr John Thomſon at Durneſs, miniſters, and Mr John Moſman merchant in Edinburgh, ruling elder; From the preſbytery of Caithneſs, Mr Alexander Nicolſon at Thurſo, Mr William Sutherland at Wick, miniſters, and Sir John Dalrymple of Couſland, baronet, ruling elder; From the preſbytery of Kirkwall, Mr George Douglas at Kirkwall, Mr John Scolly at St Andrews, miniſters, and Mr Thomas

Thomas Simpſon peutherer in Edinburgh, ruling elder; From the preſbytery of Cairſton, Mr Robert Sands at Hoy, Mr James Bremner at Walls, miniſters, and Bailie Thomas Elder merchant in Edinburgh, ruling elder; From the preſbytery of North Iſles, Mr Alexander Pitcairn at Shapinſhay, Mr Hugh Sutherland at Croſspariſh, miniſters, and Mr Andrew M'Cara merchant in Edinburgh, ruling elder; From the preſbytery of Zetland, Mr William Mitchell at Tingwall, Mr David M'Robert at Neip, miniſters, and Mr John Forreſt merchant in Edinburgh, ruling elder; From the preſbytery of Edinburgh, Mr Robert Walker, Mr Henry Lundie, Dr John Erſkine, Mr Thomas Scott at Leith, Mr James Brown, Edinburgh, Mr Thomas White at Libberton, miniſters, the Earl of Lauderdale, Bailie John Learmonth, and Mr James Duncan, ruling elders; From the city of Edinburgh, the Right Honourable John Dalrymple, Eſq; Lord Provoſt of Edinburgh, and Mr Orlando Hart preſent conveener; From the univerſity of Edinburgh, Principal Robertſon; From the church of Campvere, Mr James Yair at Campvere, miniſter, and John Home, Eſq; ruling elder; From the preſbytery of Linlithgow, Mr Patrick Bennet at Polmont, Mr George Ellis at Carridden, Mr Archibald MacAulay at Queensferry, Mr Patrick Baillie at Borrowſtounneſs, miniſters, Charles Hope-Vere of Craigiehall, Eſq; and Mr David Sampſon, ruling elders; From the burgh of Linlithgow, Bailie Robert Clerk merchant in Linlithgow; From the burgh of Queensferry, Mr Walter Scott merchant in Edinburgh; From the preſbytery of Biggar, Mr William Tait at Kilbucho, Mr John Noble at Libertoun, Mr Thomas Gray at Broughton, miniſters, and Robert Welſh of Moſsfennan, Eſq; ruling elder; From the preſbytery of Peebles, Mr John Baird at Stobo, Mr Alexander Adams at Traquair, miniſters, and the Lord Advocate, ruling elder; From the preſbytery of Dalkeith, Mr Thomas Turnbull at Borthwick, Mr William Mackie at Primroſe, Mr Henry Grieve at Dalkeith, miniſters, and Robert Hepburn of Clerkington, Eſq; ruling elder: From the preſbytery of Haddington, Mr John Hamilton at Bolton, Mr Thomas Hepburn at Athelſtaneford, Mr George Barclay at Haddington, miniſters, and Charles

Brown younger of Coalſton, Eſq; ruling elder; From the burgh of Haddington, Francis Kinloch younger of Gilmourton, Eſq; From the preſbytery of Dunbar Mr John Clunie at Whitekirk, Mr Alexander Davidſon at Stenton, miniſters, and Sir George Suttie of Balgon, baronet, ruling elder; From the burgh of Dunbar Mr Peter Miller preacher of the goſpel; From the preſbytery of Dunſe Mr Robert Montieth at Laſmahego, Mr Adam Murray at Abbay, miniſters, and Gilbert Laurie, Eſq; Commiſſioner of Exciſe, ruling elder; From the preſbytery of Chirnſide, Mr John Todd at Ladykirk, Mr John Jolly at Coldingham, miniſters, and Sir John Stewart of Allanbank, baronet, ruling elder; From the preſbytery of Kelſo, Mr Robert Turnbull at Sprouſton, Mr James Turnbull at Linton, miniſters, and Mr Solicitor Dundas ruling elder; From the presbytery of Jedburgh, Mr John Riccalton at Hobkirk, Dr James M'Knight at Jedburgh, Mr Robert Muirhead at Southdean, miniſters, and Mr Robert Laidlaw at Falnaſh, ruling elder; From the presbytery of Lauder, Mr John Goudie at Earlſtoun, Mr William Gullin at Legerwood, miniſters, and Mr John Tait of Pirn, ruling elder; From the burgh of Lauder, Mr Thomas Hogg advocate; From the presbytery of Selkirk, Mr Simon Haliburton at Aſkirk, Mr Robert Douglas at Galaſhiells, miniſters, and Mr Adam Ogilvie advocate, ruling elder; From the burgh of Selkirk, Mr George Currie advocate; From the presbytery of Annan, Mr James Gath at Graitney, Mr Alexander Brown at Hoddon, miniſters, and Mr Alexander Orr of Waterſide, Eſq; ruling elder; From the burgh of Annan, William Hay of Crawfurdtoun, Eſq; From the presbytery of Lochmaben, Mr John Nimmo at Johnſton, Mr William Scott at Kirkpatrick, Dr John Burges at Kirkmichal, miniſters, and William Caruthers tenant in Kirkhill of Wamphrey, ruling elder; From the presbytery of Langholm, Mr Andrew Walker at Canonbee, Mr Richard Scott at Ewes, miniſters, and bailie William Todd merchant in Edinburgh, ruling elder; From the burgh of Lochmaben, James Mounſay of Rammarſkails, Eſq; From the presbytery of Penpont, Mr John Robertſon at Kirkonnel, Mr John M'Kell at Duriſdeer, miniſters, and Mr Thomas Edgar in Caſtle-hill, ruling elder; From the presbytery of Dumfries, Mr Philip Moriſon at Dunſcore, Mr James Finan at Colvend, Mr Andrew Hunter at Dumfries, miniſters, and Mr Andrew Crosbie advocate, ruling elder; From the burgh of Dumfries, Alexander

ander Ferguſon of Craigdarroch, Eſq; advocate; From the presbytery of Kirkcudbright, Mr Alexander Dick at Dalry, Mr Robert Coupar at Girton, Mr Samuel Martin at Balmaghie, miniſters, and William Welch of Colin, Eſq; ruling elder; From the burgh of Kirkcudbright, Mr Alexander Abercrombie writer to the ſignet; From the preſbytery of Wigton, Mr William Boyd at Penningham, Mr James Laing at Glaſſerton, miniſters, and Mr John Brown in Craigincallin ruling elder; from the presbytery of Stranrawer, Mr John Hunter at Stonnykirk, Mr James Mochrie at Colmonel, miniſters, and Mr John M'Bryde in Knockibay ruling elder; From the presbytery of Air, Mr Patrick Woodrow at Tarbolton, Mr Duncan M'Myne at Dalmellington, Mr John Ramſay at Kirkmichael, Mr Thomas Miller at Old Cumnock, Mr James Wright at Maybole, miniſters, John Hamilton of Bargeny, Eſq; and William Campbell of Fairfield, Eſq; ruling elders; From the presbytery of Irvine, Mr John Fullerton at Dalry, Mr Gilbert Lang at Largs, Mr Thomas Pollock at Kilwinning, miniſters, and the Honourable Patrick Boyle ruling elder; From the burgh of Irvine, Mr Claud Marſhall writer in Glaſgow; From the presbytery of Paiſly, Mr Colin Campbell at Renfrew, Mr John Adam at Greenock, Mr James Moriſon at Paiſly, miniſters, and John M'Laurin, Eſq; advocate, ruling elder; From the preſbytery of Hamilton, Mr David Connel at Kilbryde, Mr Patrick Maxwell at Newmonkland, Mr Alexander Dobie at Glaſsford, miniſters, and Mr William Coats of Old Place, ruling elder; From the presbytery of Lanark, Mr William Forreſter at Carſtairs, Mr James Gray at Lanark, Mr John Chryſtie at Carnwath, miniſters, and William Wilſon of Soonhope, Eſq; ruling elder; From the burgh of Lanark, Mr Walter Coſſar merchant in Edinburgh; From the presbytery of Glaſgow, Mr James Stirling at Glaſgow, Mr John Hamilton at Glaſgow, Mr John Ker at Carmunnock, Mr John Telfer at Kilſyth, miniſters, bailie John Tulloch merchant, Glaſgow, and bailie George Black merchant there, ruling elders; From the Univerſity of Glaſgow, profeſſor Thomas Reid; From the presbytery of Dumbarton, Mr Andrew Gray at New Kilpatrick, Mr David M'Gibbon at Buchanan, Mr John Freebairn at Dunbarton, miniſters, and Sir James Colquhoun of Luſs, ruling elder; From the burgh of Dumbarton, Mr Alexander Weir of Green; From the presbytery of Denoon,

Mr

Mr Archibald M'Lea at Rothſay, Mr Colin Campbell at Kilmoden, miniſters, and John Lamont of Lamont, Eſq; ruling elder; From the burgh of Rothſay, Duncan MacMillan of Dunmore, Eſq; From the presbytery of Kintyre, Mr David Campbell at Southend, Mr John Hamilton at Kilmore, Mr George Robertſon at Campbleton, miniſters, and Mr Archibald M'Donald advocate, ruling elder; From the burgh of Campbleton, John Campbell of Skipneſs, Eſq; From the presbytery of Inverary, Mr John M'Aulay at Inverary, Mr Archibald Campbell at Northknapdale, miniſters, and Mr James Loch writer to the ſignet, ruling elder; From the burgh of Inveraray, Dr James Williamſon; From the preſbytery of Lorn, Mr Ludovick Grant at Ardhatten, Mr Donald M'Nicol at Leſſmore, miniſters, and Lord Stonefield, ruling elder; From the presbytery of Mull, Mr Kenneth M'Aulay at Ardnamurchan, Mr Archibald M'Arthur at Kilninian, miniſters, and Allan M'Dougal younger of Gallaniſh, ruling elder; from the preſbytery of Dunkeld, Dr George Wiſhart, Mr John Brodie at Kinloch, Mr Thomas Biſſet at Logierait, Mr Patrick M'Vean at Dull, miniſters, the Earl of Breadalbane, and Profeſſor Adam Fergusſon, ruling elders; from the presbytery of Perth, Mr David Bannerman at St. Martins, Mr Archibald Stevenſon at St. Madoes, Mr David Beatſon at Dumbarnie, Mr William Taylor at Rhynd, miniſters, Mr Alexander Belſhes advocate, and bailie John Caw merchant, Perth, ruling elders; From the burgh of Perth, Provoſt William Stewart; From the presbytery of Stirling, Mr Thomas Randal at Stirling, and Mr John Muſhet there, miniſters, and Mr Colin Angus in Stirling, ruling elder; From the burgh of Stirling, provoſt Henry Jaffray; From the presbytery of Auchterarder, Mr David Kemp at Gaſk, Mr Robert Stirling at Crief, Sir Henry Moncrieff Welwood baronet, at Blackford, miniſters, and bailie James Gentle, brewer in Canongate, ruling elder; From the presbytery of Dumblane, Mr Robert Brown at Tulliallan, Mr John Robertſon at Dumblane, miniſters, and Mr John Ramſay ſhipmaſter in Kincardine, ruling elder; to be commiſſioners of this General Aſſembly, to the effect after mentioned; with power to the ſaid commiſſioners, or their quorum, which is hereby declared to be any thirty-one of the ſaid commiſſioners, whereof twenty-one are always to be miniſters, to meet and conveen within the Aſſembly-houſe at Edinburgh, the firſt day after the diſſolution

lution of this Aſſembly, at ten of the clock in the forenoon; and thereafter, the ſecond Wedneſday of Auguſt, third Wedneſday of November, and the firſt Wedneſday of March next to come, and oftener when and where they ſhall think fit and convenient, with power to the ſaid commiſſioners to chuſe their own moderator: And likeways, the General Aſſembly fully impowers their ſaid commiſſioners, or their quorum above mentioned, to cognoſce and finally determine, as they ſhall ſee cauſe, in every matter referred, or that ſhall be referred to them, by an act or order of this Aſſembly, and to do every thing contained in, and conform to the inſtructions given, or to be given by this Aſſembly; and to advert to the intereſt of the church on every occaſion, that the church, and preſent eſtabliſhment thereof do not ſuffer or ſuſtain any prejudice which they can prevent, as they will be anſwerable: Provided always, that this general clauſe be not extended to particular affairs, or proceſſes before ſynods or presbyteries, that are not of univerſal concern to, or influence upon, the whole church. And it is hereby appointed, that no private proceſſes be determined, except at the four ſtated diets; and what ſhall be determined at one diet of the commiſſion, with relation to private cauſes, ſhall be unalterable by any other diet thereof, and ſhall ſtand and continue in force, till diſapproven by the General Aſſembly. And the Aſſembly renews the inſtructions given by the General Aſſembly in the year one thouſand ſeven hundred and ſeventeen, to their commiſſion, and appoints the ſame to ſtand in full force, as inſtructions to the commiſſioners beforenamed, and to be obſerved by them in all points, as if the ſame were ſpecially here inſert; and that they inquire into the publiſhing and ſpreading of books and pamphlets tending towards the promoting of opinions of whatever kind, inconſiſtent with our *Confeſſion of Faith*; and that the recommenders of ſuch books or pamphlets, or the errors therein contained, whether by word, writ, or print, be called before the ſaid commiſſion to anſwer for the ſame. And further, the ſaid commiſſion is hereby impowered to receive any references and appeals that ſhall be made to them from ſynods, in matters of doctrine, and ripen ſuch affairs for the next General Aſſembly; and

to contribute what they can to the ſuppreſſing of vice and immorality, and give all needful advice and aſſiſtance to ſynods and preſbyteries, upon application to them for that end: Likeways to take care that the impreſſions of the *holy Scriptures*, the *Confeſſion of Faith* and *Catechiſms*, and ſuch books as are authoriſed by this church, relating to the doctrine, worſhip, diſcipline, and government thereof, be correct; and give directions about printing the ſame. And the commiſſioners are appointed and impowered to keep a correſpondence with the committee for reformation of the Highlands and Iſlands, for ſuppreſſing Popery and ſuperſtition, and for promoting the knowledge of true religion, and carrying on a reformation in theſe parts, and give aſſiſtance and concurrence therein; and, if need be, to apply to the government for a proper remedy and ſpeedy redreſs. And the ſaid commiſſioners are hereby ſtrictly prohibited and diſcharged to meddle in any other matters than what are committed and referred to them, as above-mentioned: And, in all their actings, they are to proceed according to the acts and conſtitution of this church, and to do nothing contrary thereto, or to the prejudice of the ſame; declaring, that in, and for all their actings, they ſhall be accountable to, and cenſurable by the next General Aſſembly, as they ſhall ſee cauſe. And the General Aſſembly appoints the ſaid commiſſioners particularly to obſerve the acts of the General Aſſemblies one thouſand ſeven hundred and twelve, and one thouſand ſeven hundred and nineteen, reſpecting the application of the public money; which two acts are printed among the acts of Aſſembly one thouſand ſeven hundred and ſixty-one. And this commiſſion is to continue and endure until another commiſſion be appointed; and members are required to attend the diets of the ſaid commiſſion; and abſents therefrom are ordered to be noticed, according to the 17th act of the General Aſſembly held in the year one thouſand ſeven hundred and ſix. And for the better ſecuring of a quorum, and attendance of members on the commiſſion, the General Aſſembly prohibits the preſbytery of Edinburgh, or any other preſbytery within twelve miles thereof, to meet on any of the days or weeks appointed for the

meeting

meeting of this commiſſion; and ſuch of the members of theſe preſbyteries as are on the commiſſion, are required all of them to give attendance on the diets thereof; and the preſbyteries at a greater diſtance, who have four or more members on the commiſſion, are to take care, that at leaſt two of them attend each diet of the ſame; and the General Aſſembly appoint their commiſſion, at their firſt meeting, to diſcuſs as many of the cauſes and queſtions relative to the ſettlement of vacant churches, which are, or ſhall be referred to them by the Aſſembly, as they can overtake. And it is further provided, that when any preſbytery, or ſynod of this church, ſhall decline to comply with the ſentence of the commiſſion, or to give the ſame a full execution, in that caſe the commiſſion is hereby prohibited to execute the ſame, by appointing any ſuch correſpondent meeting, as has been ſometimes the practice; but ſhall allow the ſame to ly over to the enſuing Aſſembly, to which ſuch preſbyteries or ſynods ſhall be anſwerable for ſuch their conduct, and are hereby appointed to ſend up with their commiſſioners their reaſons for the ſame. And the Aſſembly doth further impower and direct the ſaid commiſſion, to make due application to the King and Parliament, for redreſs of the grievance of patronage, in caſe a favourable opportunity for ſo doing ſhall occur during the ſubſiſtence of this commiſſion. And that in paſſing their ſentences, and in ordering the execution of the ſame, they ſtrictly obſerve the 12th act of the Aſſembly 1736.

Act

VI.

Act appointing the Diet of the next General Assembly.

THE next General Assembly of this National Church is appointed to be held in this place on Thursday the Twentieth day of May, in the year One thousand seven hundred and seventy-three.

Collected and extracted from the records of the General Assembly, by

GEORGE WISHART, *Cls. Ecc. Scot.*

The General Assembly transmits to presbyteries the following Report laid before them by their Committee for Overtures.

THE Committee for Overtures having met and considered the overtures transmitted by synods and presbyteries to this General Assembly, with respect to the electing and ordaining of elders, and having heard reports of irregularities in these matters, particularly of elders being ordained in parishes where they have no residence, and reasoned thereon, do report their humble opinion, that the case is not ripe for an overture to be transmitted to presbyteries, but that the General Assembly should recommend to presbyteries to enquire into these matters, and to transmit such overtures thereon, as to them should seem proper; which report from the Committee being considered, the General Assembly do hereby recommend to presbyteries accordingly.

OVERTURE anent Probationers being licensed without the bounds of the Church.

WHEREAS it is a matter of the greatest importance to the interests of religion to prevent persons not duly qualified from being licensed to preach the gospel; and, as it has been often complained of, that several persons not qualified according to the acts of this church, have retired out of its bounds to places where they were not well known in order to obtain a licence. Therefore the General Assembly prohibit all persons educated, or residing within the bounds of this church, from going out of its bounds to obtain licenses to preach, and enact and declare licenses obtained in that manner to be null and void, unless it shall appear that such persons have carried with them a recommendation in the usual form from the presbytery where they have resided.

OVERTURE anent the Age of ruling Elders, and the electing them to repreſnet Seſſions in the Presbytery and Synod.

THE General Aſſembly called for an overture anent the age of ruling elders, and the electing them to repreſent ſeſſions in the preſbytery and ſynod, which was given in to the laſt General Aſſembly, and by them ordered to lye over till this Aſſembly, which was read, and is as follows: *Primo*, That no perſon ſhall be ordained an elder of this church before he is twenty-one years of age compleat. *Secundo*, That all preſbytery elders ſhall be elected within two months after the ſitting of ſynod, to attend the preſbytery and enſuing ſynod of that bounds, and in caſe of death or demiſſion, a new elder ſhall be made within one month of the ſame. *Tertio*, That every elder ſo choſen ſhall produce an extract of his election under the hand of the Seſſion-clerk, before he be received on the roll of either preſbytery or ſynod. The General Aſſembly ordered the above to be tranſmitted as an overture to the ſeveral preſbyteries, and appoints them to return their opinions thereupon to the next General Aſſembly.

OVERTURE anent Members of inferior Courts judging in Cauſes appealed from them.

Edinburgh, May 29. 1771.

THE General Aſſembly took into conſideration the overture anent members of inferior courts judging in ſuperior courts in cauſes appealed from them, which had been tranſmitted to preſbyteries by ſeveral preceding

ing Assemblies, and had originally come before the Assembly in the year 1754 from the commission of the then foregoing Assembly, the tenor whereof follows: The Commission considering, that the present practice of this church, whereby the members of inferior judicatories are excluded from judging or voting in the superior judicatories, in case of an appeal, is contrary to the practice of all other courts, both of law and equity, and in some measure subversive of that exact purity which is a leading part of our constitution, as it sometimes subjects the sentence of the far greater number to that of the lesser; and further, considering that, by this means, those who a little before acted in the character of judges, are obliged to stand at the bar, on a level with the pannel, must enter into the spirit and warmth of a party, and perhaps are condemned for no other reason, than giving sentence according to their best judgment, and which they would willingly have altered upon a review; and as it often, if not always, happens that, when the members of inferior courts, before whom the cause was first tried, and thoroughly canvassed, are removed, the affair is not sufficiently understood, particularly because those who voted among the minority are not allowed to assign any reasons for their conduct, except they have entered a complaint, which one would not chuse to do, unless in a very strong case; and every one knows, that, in the course of reasoning, things frequently cast up, which perplex or mislead the judges, that could easily have been obviated or cleared up, if the members of the inferior courts had not been deprived of the liberty of speaking. On all these accounts, and for many other obvious reasons, the Commission propose, that the Assembly should transmit an overture to the consideration of the several presbyteries, for allowing the members of inferior judicatories to sit, judge and vote in the superior courts, in cases of appeals, as they do at present in the case of a reference. The General Assembly did and hereby do re-transmit the said overture to the several presbyteries, with this particular injunction, that they consider the same, on or before the day of electing their members to the next General Assembly.

A TABLE

A

TABLE of the printed Acts of the General Assembly held in the Year 1772.

I. *THE King's Commission to* JOHN *Earl of Glasgow, produced and ordered to be recorded.* *Page* 3

II. *The King's most gracious letter to the General Assembly, presented to them by his Majesty's commissioner.* 5

III. *The General Assembly's answer to the King's most gracious letter.* 7

IV. *Commission to some ministers and ruling elders, for reformation of the Highlands and Islands, and for managing his Majesty's royal bounty for that end.* 9

V. *Commission to some ministers and ruling elders, for discussing affairs referred to them.* 14

VI. *Act appointing the diet of the next General Assembly.* 24

INDEX

INDEX OR ABRIDGEMENT

OF THE

Actings and Proceedings of the General Aſſembly of the Church of Scotland, held in the Year 1772, which are not printed at full length.

May 21. 1772. *Seſſ.* 1.

AFTER ſermon by the Reverend Mr Robert Walker, one of the miniſters of Edinburgh, Moderator of the laſt General Aſſembly, the miniſters and ruling elders conveened in the Aſſembly-houſe; and after prayer by the ſaid Mr Robert Walker, Mr Adam Ferguſon miniſter at Mouline, was choſen Moderator, and, at the Aſſembly's deſire, took the chair.

The King's commiſſion to John Earl of Glaſgow to repreſent his Majeſty's royal perſon, read and recorded.

The King's moſt gracious letter to this Aſſembly read and recorded.

The Commiſſioner's ſpeech at opening this Aſſembly, and the Moderator's ſpeech in return thereto.

A committee named for anſwering the King's moſt gracious letter.

A committee named for reviſing the commiſſions to the members of this Aſſembly, cenſuring abſents from the diets thereof; naming miniſters to preach before his Grace the King's Commiſſioner; receiving in liſts of the probationers in the ſeveral preſbyteries, in order to their being recorded.

Committee for overtures named.

Committee for bills, references, and appeals named.

Adjournment.

May 22. 1772. *Seſſ.* 2.

Sederunt.

A new commiſſion produced.

A diet ſpent in prayer.

Act 7th of Aſſembly 1718, for the better diſpatch of the buſineſs of the Aſſembly, read, and the obſervation thereof enjoined.

Miniſters named to preach before his Grace the King's Commiſſioner.

The committee for overtures and bills appointed to meet this evening at their uſual places.

Adjournment.

May 23. 1772. *Seſſ.* 3.

Sederunt.

A new commiſſion produced.

The draught of an anſwer to the King's moſt gracious letter to this Aſſembly, brought in and approven, and his Grace the Commiſſioner, at the Aſſembly's requeſt, undertakes to tranſmit the ſame to his Majeſty.

The report of the truſtees of the fund for a proviſion to miniſter's widows, *&c.* produced, and the firſt paragraph thereof read, concerning the truſtee's election of the Reverend Dr Alexander Webſter, one of the miniſters of Edinburgh to be their general collector or receiver of the annual and other rates and ſums, ſpecified in the acts of Parliament eſtabliſhing the fund in the room of Mr James Stewart, their late general collector or receiver. The General Aſſembly unanimouſly affirmed the ſaid election, and continued Dr Webſter collector of the ſaid fund; and the report was ordered to lie upon the table.

A committee named to reviſe the actings and proceedings of the commiſſion of the late General Aſſembly, audite the procurator and agent's accompts, conſider the ſtate of the public money, and prepare overtures about the ſame.

A committee named to reviſe the actings and proceedings of the committee named by laſt Aſſembly, for managing the Royal Bounty for the reformation of the Highlands and iſlands.

The report of the committee for reviſing commiſſions, having paſſed the committee for overtures, the ſame was called for and read.

The ſynod-books called for.

A committee named to reviſe the ſynod-book of Sutherland and Caithneſs.

A committee named to reviſe the ſynod-book of Lothian and Tweeddale.

A committee named to reviſe the ſynod-book of Dumfries.

A committee named to reviſe the ſynod-book of Perth and Stirling.

The ſynod-books of Fife, Angus and Mearns, Aberdeen, Roſs, Glenelg, Merſe and Tiviotdale, Galloway, Glaſgow and Air, Argyle, and the preſbytery-book of Zetland, not being brought

brought up to this Aſſembly, reſolved that the reaſons thereof be enquired into.

The roll of cauſes tranſmitted by the committee for bills called for, produced, and read over.

Reſolve anent taking in cauſes.

A petition and complaint for the magiſtrates and town council of Dumfries, a petition and complaint of Mr Alexander Ferguſon of Craigdarroch, ruling elder, choſen to repreſent them in this Aſſembly, and a petition and complaint of Mr Thomas Mutter and other members of the preſbytery of Dumfries, diſſenters from the preſbytery's refuſal to atteſt Mr Ferguſon's commiſſion, heard; the ſaid commiſſion ſuſtained, notwithſtanding the objection of its not being atteſted by the preſbytery. And the Aſſembly found, that the refuſal of the preſbytery of Dumfries to atteſt the commiſſion to Mr Ferguſon, as elder elected by the town of Dumfries, was unwarranted and injurious both to the town of Dumfries and to Mr Ferguſon; and the Aſſembly authoriſe the complainers to furniſh the clerk of the preſbytery of Dumfries with an extract of this judgment, and upon receipt thereof, the Aſſembly ordain him to record the ſame in the preſbytery-books. And it was agreed that liberty ſhould be reſerved to any members that pleaſed to enter their diſſent from this judgment of the Aſſembly at the next meeting.

The committee for overtures and bills appointed to meet on Monday morning at half an hour after nine o'clock in their uſual places.

Adjournment.

May 25. 1772. *Seſſ.* 4.

Sederunt.

New commiſſion produced.

Upon reading the ſentence of Aſſembly on Saturday, anent the Aſſembly's ſuſtaining the commiſſion from the burgh of Dumfries, diſſents entered by ſeveral members.

Upon a motion the Aſſembly added Mr Archibald Stevenſon and Mr William Sutherland to the committee for reviſing the commiſſion-book, *&c.* And the Aſſembly reſolved that in time coming there ſhould be two ſeparate committees, one for reviſing the commiſſion-book, and another for auditing and reviſing the public accompts.

The report of the committee for bills, called for, produced, and read over.

A petition and complaint of the magiſtrates and town-council of Dunfermline, againſt the preſbytery, for their refuſal to atteſt Mr Hart's commiſſion, heard. And the Aſſembly found, that the refuſal of the preſbytery of Dunfermline to atteſt the commiſſion of the burgh of Dunfermline, in favour of Mr Hart, was unwarranted and injurious, both to Mr Hart and the town of Dunfermline, and therefore ſuſtains the ſaid commiſſion: And further the Aſſembly is of opinion the recording the petition of Andrew Bowie and others, was improper, and ordain the ſame to be expunged from the preſbytery-record; and upon being furniſhed with an extract of this ſentence, ordain the preſbytery-clerk to record the ſame in the preſbytery-book.

The objection to the commiſſion from the burgh of Kirkcudbright, to Mr Alexander Abercrombie writer to the ſignet, heard, and the commiſſion ſuſtained by the Aſſembly without a vote.

The objection to the commiſſion from the city of Edinburgh, to Mr Orlando Hart preſent conveener, heard, and the commiſſion alſo ſuſtained by the Aſſembly without a vote.

The objection to the commiſſion from the burgh of Queensferry to Mr Walter Scot, heard, and the commiſſion likewiſe ſuſtained by the Aſſembly without a vote.

Adjournment.

May 26. 1772. *Seſſ.* 5.

Sederunt.

A new commiſſion produced.

A commiſſion from the preſbytery of Zetland rejected as being only a duplicate of a commiſſion.

His Majeſty's royal warrant for L. 1000 Sterling, delivered into this Aſſembly, by his Grace the Commiſſioner, read and ordered to be recorded.

A committee named to converſe with parties in the cauſe anent the ſettlement of St Ninians, in order to bring about a comfortable ſettlement, and to report to the Aſſembly on or before Friday next.

The committee appointed by Aſſembly 1769, for conſidering the order of the houſe, and the better accommodation of the members, called for; it was repreſented by members of that committee, that they had had ſeveral conferences with the honourable magiſtrates of Edinburgh upon this ſubject: That a plan of what was propoſed for the right ordering of the houſe, and the better accommodation of the members, was drawn out, together with an eſtimate of the

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expence, and the ſame laid before the magiſtrates: That they had obtained part of the ſaid plan to be executed, reſpecting the moderator's chair, and the ſeats for the clerks, and hoped to bring about the execution of the reſt of it. The committee continued, and added thereto Mr James Brown miſter, Mr Alexander Ferguſon, and Mr Alexander Elphingſtone, advocates, ruling elders, and Mr James Brown, named conveener of the committee.

Reſolve anent cauſes.

A petition and complaint of Walter Ogilvie of Clova, patron of the pariſh of Lintrethan, and of the preſbytery of Meigle, and ſynod of Angus and Mearns, againſt the commiſſion of laſt Aſſembly, heard. The commiſſion found to have exceeded their powers; and this cauſe remitted to the preſbytery of Meigle to proceed in the ſettlement according to the rules of the church.

The committee for overtures and bills appointed to meet tomorrow morning at ten o'clock, in their uſual places.

Adjournment.

May 27. 1772. *Seſſ.* 6.

Sederunt.

The report of the committee appointed to converſe with the parties in the affair of St Ninians, called for, given in and read, bearing that it will be expedient to order the ſettlemenr of Mr Thomſon the preſentee on or before the 20th of November next, and that they find ſuch meaſures now purſuing for the good of that pariſh, as there is all reaſon to believe will give ſatisfaction to all concerned. The preſbytery of Stirling ordered to ſettle Mr David Thomſon the preſentee as miniſter of St Ninians, on or before the 20th of November next.

Reſolve anent cauſes.

Upon a motion, the Aſſembly ordered all parties concerned in cauſes before this Aſſembly, to diſtribute their printed caſes at leaſt 24 hours before the cauſes are to be heard, and to lodge 100 copies at leaſt in the Society-hall.

A committee named to take trial of Mr George Mark the preſentee for the pariſh of Kirkhill, as to his knowledge of the Gallic language, and recommended to all the other members of Aſſembly, who underſtood that language, to attend the ſaid committee, and report as ſoon as poſſible.

The Report of the committee for overtures concerning returns from preſbyteries on overtures tranſmitted by former Aſſem-

blies, called for, given in and read. The overture anent members of inferior courts judging in cauſes appealed from them; and the overture anent the age of ruling elders, appointed to be re-tranſmitted to preſbyteries, that ſuch as have as yet made no returns, may ſend up their opinions thereupon to the next General Aſſembly. And alſo tranſmitted a new overture, concerning young men going without the bounds of this church to obtain licences: And the ſeveral preſbyteries are ordered to take the ſame under their conſideration at their firſt meeting after the acts of Aſſembly come to their hand.

The report of the committee for bills called for, given in and read over.

An appeal of the elders and pariſhioners of the pariſh of Aberluthnot or Marykirk, from a ſentence of the preſbytery of Fordoun, and the ſynod of Angus and Mearns, ſuſtaining a preſentation and call to Mr John Brymer, and admitting him as miniſter of ſaid pariſh of Marykirk, heard, the ſentences of the ſaid ſynod and preſbytery affirmed.

The committee for overtures and bills appointed to meet tomorrow morning at ten o'clock, at their uſual places.

Adjournment.

May 28. 1772. *Seſſ.* 7.

Sederunt.

A letter produced from the moderator of the ſynod of New-York, read, and the Aſſembly continued the committee of correſpondents appointed by laſt Aſſembly, and ordered the ſaid letter to be given to them.

A committee named to conſider a reference from the preſbytery of Gairloch. Profeſſor Gerard named conveener of the committee, and the reference put into his hands.

A committee named to conſider a petition of the inhabitants within the perambulated bounds of Norrieſton, and a repreſentation from the preſbytery of Dumblane. Doctor M'Knight named conveener of the committee and the petition put into his hands.

The report of the committee appointed yeſterday to take trial of Mr George Mark's knowledge of the Gallic language, called for, given in and read, and reſolved that this cauſe be taken up next to thoſe already fixed.

An appeal of the Right Honourable John Earl of Rothes, patron of the pariſh of Kinglaſſie, and other heretors concurring in a call to Mr Thomas Mitchell, preacher of the goſpel

pel to be miniſter of ſaid pariſh, from a ſentence of the preſbytery of Kirkcaldie, and ſynod of Fife, refuſing to ſuſtain the ſaid call, heard; the ſentences of the ſynod and preſbytery reverſed, the call ſuſtained to Mr Mitchell the preſentee; and the preſbytery of Kirkcaldie appointed to proceed to his ſettlement as miniſter of the pariſh of Kinglaſſie with all convenient ſpeed, according to the rules of the church. And members who chooſed to diſſent in this cauſe are allowed to do ſo to-morrow.

The counſel for Mr M'Maſter from the bar craved a delay of taking in his cauſe to-morrow as they were not ready; the Aſſembly reſolved that it be taken in on Saturday.

The committee for overtures and bills appointed to meet to-morrow morning at half an hour after nine in their uſual places.

Adjournment.

May 29. 1772. *Seſſ.* 8.

Sederunt.

The report of the committee, named to conſider applications for ſhares of the public money called for and read.

The General Aſſembly appointed as follows: That Mr George Trail miniſter at Dunnet, ſhould be allowed the intereſt of the ſum of L. 191 Sterling advanced by him in the proceſs againſt Mr Thomas Lyall, and the ſame to commence at Whitſunday 1769.

The deſire of the petition for Mr Robert Sands, praying to be allowed a ſum of money out of the public fund, to enable him to carry on a proceſs of augmentation of his ſtipend, refuſed in reſpect of the reſolution of laſt Aſſembly, that no further applications ſhould be received in private cauſes, till the funds be fully cleared.

As to the petition of Mr Roderick M'Leod and recommendation of the preſbytery of Skey in his favour, praying for aid out of the public money, to enable him to carry on a proceſs for manſe and glebe. This cauſe recommended to the procurator and agent.

As to the petition of Mr Andrew Williamſon, craving aid out of the public fund to enable him to carry through a proceſes of augmentation. Recommended to the procurator and agent to carry on this proceſs.

As to the the petition of Mr Alexander Pope miniſter at Reay, craving the direction and aſſiſtance of the Aſſembly to enable him to get a legal ſchool ſettled in his pariſh; remitted

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to the procurator and agent to carry on this proceſs; alſo recommended to the ſociety for propagating chriſtian knowledge to continue the charity ſchool in his pariſh.

The procurator and agent's accompts produced and ordered to lie upon the table.

The report of the viſitors of the commiſſion-book given in and read, and the commiſſion's conduct approven of, with the exception of their ſentence in the cauſe of Lintrethan, in which they are found to have exceeded their powers; the Aſſembly's thanks given from the chair to the moderator of the commiſſion, for their faithfulneſs and diligence in the affairs committed to them, and their book ordered to be atteſted.

The report of the viſitors of the royal bounty regiſter given in and read, and the conſideration thereof delayed till to-morrow.

Upon reading the ſentence of Aſſembly yeſterday, anent the Aſſembly's jugment in the cauſe of Kinglaſſie, diſſents entered by ſeveral members.

The report of the committee for overtures called for, produced and read over.

Upon report from the committee for overtures concerning an overture with reſpect to ruling elders ordained in pariſhes where they have no reſidence; as alſo an overture from the ſynod of Lothian and Tweeddale bearing, that the General Aſſembly ſhall paſs no new regulation relating to their own conſtitution, the qualifications of their members, or the forms of their commiſſions into an act, until an overture thereanent has been regularly tranſmitted and approven by a majority of preſbyteries. The above overtures ordered to lie upon the table till to-morrow.

The report of Dr John Walker miniſter at Moffat, who viſited the Weſtern Highlands upon a renewed commiſſion from laſt Aſſembly, given in and read. The thanks of the houſe was given to Dr Walker; and the Aſſembly appointed a copy of ſaid report to be tranſmitted to the Committee for managing the royal bounty, and another copy thereof to be tranſmitted to the Truſtees for the forfeited eſtates.

At the deſire of one of the parties concerned in the affair of Leith, the Aſſembly ordered the ſeſſion-records of Leith to be lodged with the clerks of Aſſembly, that thoſe concerned may have acceſs to look into them.

An appeal of Mr David Erſkine Writer to the Signet, patron of the pariſh of Blantyre, from a ſentence of the presbytery of Hamilton, delaying to ſuſtain the preſentation to Mr Finnie the preſentee, heard; the preſentation ſuſtained, and

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the preſbytery of Hamilton appointed to proceed to the ſettlement of the preſentee as miniſter of the pariſh of Blantyre betwixt and the next meeting of the Synod of Glaſgow and Ayr according to the rules of the Church; and appoints the Commiſſion in November, or any ſubſequent meeting, to take in any reference, complaint, or appeal, with reſpect to this matter, with power finally to determine therein.

An appeal of Meſſrs Alexander Stewart and John Warden, commiſſioners appointed by the preſbytery of Edinburgh to proſecute the tranſlation of Dr James M'Knight from Jedburgh to be one of the miniſters of Edinburgh, from a ſentence of the preſbytery of Jedburgh, referring this whole affair to the General Aſſembly, heard; Dr James M'Knight tranſported from the pariſh of Jedburgh to the city of Edinburgh, and the preſbytery of Edinburgh appointed to admit him as one of the miniſters of Edinburgh with all convenient ſpeed, according to the rules of the church; but the Aſſembly declare that his relation to Jedburgh ſhall not be conſidered as diſſolved till he be admitted to Edinburgh.

The committee for overtures are appointed to meet to-morrow morning at ten o'clock in their uſual place.

Adjournment.

May 30th 1772. Seſſ. 9.

Sederunt.

Upon a report from the committee for overtures, the General Aſſembly tranſmits to preſbyteries an overture reſpecting elders ordained in pariſhes where they have no reſidence; and preſbyteries are appointed to ſend up returns thereupon to the next General Aſſembly. There being tranſmitted from the committee for overtures an overture from the ſynod of Lothian and Tweeddale, with reſpect to the Aſſembly's paſſing no new regulations relating to their own conſtitution, &c. without tranſmiſſion, rejected by the Aſſembly.

The Aſſembly ordered a copy of Dr Walker's report for the year 1771 to be tranſmitted to the ſociety for propagating Chriſtian knowledge.

The report of the committee for naming the members of the commiſſion and drawing inſtructions to them, given in and approven of, and Dr George Wiſhart added in place of the Moderator.

The report of the viſitors of the royal bounty regiſter was again called for, and read; as alſo a repreſentation by Dr Webſter, one of the ſub-committee named for anſwering objections or queſtions to the management of the laſt year's committee, read, and both theſe reports remitted to the committee to be named for managing his Majeſty's bounty for the enſuing year, and recommended to them to pay particular attention to the circumſtances of the places mention-

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ed in the first report, it being always understood that whatever changes or alterations the committee may find proper to make on the scheme, they shall not increase the general charge, the fund being already overloaded; the conduct of the managers approven of, and their book ordered to be attested.

A committee named for managing the royal bounty this year, with a commission and instructions to them.

A petition and representation from the presbytery of Dumblane, with the opinion of the procurator and committee on the public accounts thereon, produced and read, craving the advice of the Assembly anent a process of declarator brought before the Court of Session against the presbytery at the instance of John Campbell writer in Stirling. The Assembly agreed to the above opinions, and appointed the defence of the process mentioned in the petition to be carried on by the procurator and agent for the church, and the expence thereof to be paid out of the public fund.

The synod-book of Sutherland and Caithness attested.

The synod-book of Lothian and Tweeddale attested.

The synod-book of Dumfries attested.

The synod-book of Perth and Stirling attested.

The Assembly ordered all the synods whose books had not been sent up to this Assembly to be sent up to next Assembly, *viz.* Fife, Angus, and Mearns; Aberdeen, Ross, Glenelg, Murray, Orkney, Merse, and Tivotdale; Galloway, Glasgow and Ayr; Argyle, and the presbytery-book of Zetland.

The report of the committee appointed by last and preceeding Assemblies to consider the overture anent the improvement of ministers glebes, called for; but the same not being ready, the General Assembly continued that committee with the same powers as formerly.

The report of the committee appointed to consider the affair of the Norriestoun fund called for, given in and read, bearing, The committee are of opinion that the salary of the minister should be augmented, according to the resolution of Assembly 1766, from seven hundred and fifty, to nine hundred merks, and accordingly that the salary should be L. 30 sterling and forty bolls of meal and bear, and, if he pleases, the piece of ground called the Orchard, he paying the present rent for it. And with respect to the manse that is desired, the committee are of opinion, That the 600 merks offered by the Assembly 1770, should still be offered, provided the people of Norriestoun contribute whatever is necessary for building the said manse, according to their former engagement. The Assembly agreed to the opinion of the committee, and ordered accordingly.

A petition for Mrs Nisbet, relict of Mr William Nisbet, late minister at Firth and Stenness, produced and read. The General

Assembly

Aſſembly renewed the recommendation to the ſynods of Orkney, and of Sutherland and Caithneſs; and alſo do recommend to the ſynod of Roſs, to make a collection for her throughout their reſpective bounds.

The report of the committee anent the order of the Houſe, and the better accommodation of the members, produced and read. The Aſſembly agreed to the opinion of the committee, as to what they propoſe, of continuing them, as was done at a former diet.

An appeal of Mr William M'Maſter preacher of the goſpel from two ſentences of the preſbytery of Stranraer, heard. The Aſſembly unanimouſly found that ſaid ſentences are final, no regular appeal having been taken and followed furth againſt them, and therefore diſmiſſed the ſaid appeal.

An appeal of the Duke of Montroſe patron of the pariſh of Aberfoil from a ſentence of the preſbytery of Dumblane, heard. The objection to the preſentee of his want of the Gallic language, ſuſtained, and therefore ſet him aſide as being unqualified to be miniſter of that pariſh, and the ſentence of the preſbytery of Dumblane, ſuſtaining the call to him, reverſed, reſerving to the patron his right to preſent *de nova*; and the Aſſembly appointed an extract of this ſentence to be ſent by the Moderator in a letter to his Grace the Duke of Montroſe.

Adjournment.

Sederunt. *June* 1. 1772. *Seſſ. ult.*

A new commiſſion produced.

Act appointing the accompt of Mr David Dalrymple procurator for the church, and exonering and diſcharging him and his cautioners of the ſum of L. 500 ſterling, and ordering that he debit himſelf in his next accompt for the ſum of L. 26: 8: 4½ ſterling, being the balance due by him.

Act, approving the accompt of James Edmonſtone agent for the church and ſub-clerk to the General Aſſembly; and appointing that he debit himſelf in his next accompt for the ſum of L. 38: 9: 8 ſterling, being the balance in his hands.

The report of the truſtees for managing the fund for a proviſion to miniſters widows, &c. containing a ſtate of the fund under their management, and an account of their proceedings ſince laſt Aſſembly, was again called for, and ordered to be recorded in the ſeparate regiſter kept for that purpoſe.

The committee on the window-tax continued with the ſame powers as appointed by laſt and former Aſſemblies.

Liſt of probationers produced, and their number ordered to be recorded.

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An appeal of Mr John Haddoway and other members of the kirk-seſſion of South Leith from a ſentence of the ſynod of Lothian and Tweeddale, heard. The ſentence of the ſynod of Lothian and Tweeddale affirmed, reverſing the judgment of the preſbytery of Edinburgh, and finding the re-admiſſion of the three elders on the firſt of Auguſt null and void.

The reaſons of diſſent againſt the judgment of the Aſſembly ſuſtaining Mr Ferguſon's commiſſion given in and read, and ordered to lie *in retentis*.

The reaſons of diſſent againſt the ſentence of this Aſſembly in the cauſe of Kinglaſſie, given in and read, and ordered to lie *in retentis*.

A reference from the preſbytery of Dumbarton in the caſe of the pariſh of Fintry, read. The Aſſembly accepted of the reſignation of Mr William Grant the preſentee, and allows the Duke of Montroſe, patron of ſaid pariſh, ſix months from this date, within which time to preſent another perſon.

A reference from the preſbytery of Dumbarton in the caſe of the pariſh of Cadroſs, read. The Aſſembly accepted of the reſignation of Mr John Davidſon the preſentee, and allows the Crown, who is patron of ſaid pariſh, ſix months from this date, within which time to preſent another perſon.

Proteſtations admitted.

The minutes of this day's ſederunt were read; the minutes of former ſederunts being read at the diets ſubſequent thereto.

A committee named to reviſe the minutes of the Aſſembly's proceedings at this and all other diets thereof, and to pitch upon ſuch of the acts of the Aſſembly as are to be ſtanding rules, in order to their being printed.

The Moderator's ſpeech to the General Aſſembly, and his Majeſty's Commiſſioner.

The Lord Commiſſioner's ſpeech to the Aſſembly.

Act appointing the next meeting of Aſſembly.

The Aſſembly concluded with prayer and ſinging of pſalms.

FINIS.

ERRATA.

Page 7. line 7. for royal *read* loyal.—P. 18. line 8. for Mr Robert Monteath at Laſmahego *read* at Lonformacus.—And line 28. at the end, delete *Mr.*